

Amendment and Response

Applicant: Christian L. Struble

Serial No.: 09/888,350

Filed: June 21, 2001

Docket No.: 10005647-1 (H303.203.101)

Title: ELECTRONIC DOCUMENT SENDER SYSTEM AND METHOD WITH
EXTERNAL ADDRESS ACCESS**REMARKS**

The following remarks are made in response to the Office Action mailed February 24, 2006. Claims 1-24 were rejected. With this Response, claims 4, 6, 14-15, 17-18, and 23-24 have been amended and claims 1-3, 7-13, and 19-22 are canceled. Claims 4-6, 14-18, and 23-24 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

In the Office Action, claims 1-2, 10, 12-13, 19-21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lamming et al. U.S. Patent No. 5,862,321 (herein Lamming).

Applicant has canceled claims 1-2, 10, 12-13, and 19-21. Accordingly, Applicant respectfully requests withdrawal of the rejections of those claims under 35 U.S.C. § 102(b) based on Lamming.

Claim Rejections under 35 U.S.C. § 103

In the Office Action, claims 3-9, 14-18, 22-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamming in view Browning U.S. Patent No. 6,081,629 (herein Browning).

Applicant has canceled dependent claims 3, 7-9, 11 and 22.

Applicant's independent claim 4 specifies a method of wirelessly activated document transportation. The method comprises wirelessly sending, from a mobile computing device directly to a scanner, an electronic address of a document server and a request to image a paper document at the scanner. In response to the request from the mobile computing device, the scanner images the paper document to produce an electronic document and stores the electronic document in a memory of the scanner. The scanner sends the electronic document to the document server at the electronic address provided by the mobile computing device.

In one limitation of Applicant's claim 4, a mobile computing device wirelessly sends directly to a scanner: (1) the electronic address of a document server; and (2) a request to image a paper document at the scanner, as claimed by Applicant. Applicant notes that at this point in the method the paper document has not yet been scanned to create an electronic document and therefore there is not a document identifier associated with the electronic document.

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In contrast, in association with Figures 6E-6F, Lamming at Column 10, lines 21-36 discloses tab 16 beaming/transmitting a command (including a document token that represents an existing electronic document) to a fax machine 86, when then communicates with multifunction machine 38. Accordingly, this command in Lamming does not request scanning of a paper document and does not send the electronic address of a document server to a scanner, as claimed by Applicant.

In addition, in Lamming at Column 10, lines 21-36, the command from tab 16 is for a document A to be sent from multifunction machine 38 (which obtains the document from a database) to fax machine 86 for printing (and not to a document server). Accordingly, this command in Lamming is not a request (made directly to a scanner) for a scanner to image a paper document to produce an electronic document from a scanner, as claimed by Applicant.

Moreover, Lamming confirms that that prior to these actions (described in association with Figures 6E-6F for Lamming) that document A has already been scanned in and electronically stored in a database accessible by multifunction machine 38. See Lamming at Column 10, lines 17-19. Accordingly, Lamming fails to disclose storing the electronic document in a memory of the scanner (for later transmission from the scanner), as claimed by Applicant. Rather, in Lamming the electronic documents are stored on file server 12 or a personal workstation 21 within network 10 (See Lamming at Column 4, lines 4-45) with document tokens (i.e., document references) being used to access the electronic documents.

Finally, as admitted in the Office Action regarding claim 4, Lamming does not teach sending the electronic document from the scanner to a document server [at an electronic address of the scanner identified by the mobile computing device] and as detailed later below, neither does Browning.

Browning fails to cure these deficiencies of Lamming.

Contrary to the assertion in the Office Action (based on passages at Column 4, lines 3-14, 42-51), Browning does not disclose sending the electronic document from the scanner to a document server at an electronic address identified by the mobile computing device.

Instead, Browning discloses that a handheld scanner scans character data (i.e., a textual address) from printed media and then sends that the scanned address (not a document) to a software communications agent 34 (associated with a communications device such as a personal computer, network computer . . . or other communications device,) which uses the

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textual address to retrieve HTML documents, email messages, etc. from the internet address locations. See Browning at Column 3, lines 25-44. Accordingly, the scanner of Browning does not send a document from a scanner to a document server, but merely sends an address of a remote site to the communications agent to enable the communications agent to access the remote site.

Browning teaches away from Applicant's claim 4, as the objective of the invention in Browning is to scan single line textual information in the form of internet URL's, internet protocol addresses, internet email addresses, FTP sites, USENET news group addresses, and DNS addresses as they occur in print advertising and print media. See Browning at Column 1, lines 45-50. A communications agent 34, not the handheld scanner and separate from the handheld scanner, sends/retrieves HTML/VRML documents, email messages, USENET news, Java applets, ActiveX components, or file transfers interpreted by the handheld scanner. See Browning at Column 1, lines 58-62.

In further contrast to Applicant's claim 4, Browning does not disclose a mobile computing device that requests the scanner to image a paper document. Moreover, in Applicant's claim 4, a mobile computing device, not a handheld scanner as in Browning, makes a wireless request on a scanner initiate sending an electronic document to the document server. Finally, in Browning the handheld scanner does not directly send any requests to a remote site (internet address location) so that Browning fails to disclose wirelessly sending a request from the mobile computing device to a scanner, as claimed by Applicant in claim 4.

Accordingly, with these deficiencies of Lamming and Browning, one cannot combine Lamming and Browning and arrive at Applicant's independent claim 4.

For these reasons, Lamming and Browning fail to teach or suggest Applicant's independent claim 4. Accordingly, Applicant believes that claim 4 is patentable over Lamming and Browning. Claim 5 is also believed to be patentable over Lamming and Browning based on its dependency from independent claim 1.

For substantially the same reasons as presented for patentability of claim 4, Lamming and/or Browning fail to disclose Applicant's amended independent claim 23 which is directed to a computer readable medium having computer-executable instructions for performing a

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method of wirelessly activated document transportation – the method including substantially the same limitations as independent claim 4. For these reasons, Lamming and/or Browning fail to teach or suggest amended independent claim 23, and therefore Applicant's amended independent claim 23 is patentable and allowable over Lamming and/or Browning.

Applicant's independent claim 14 specifies a wireless document scanning system. The system comprises a document server, a scanner, and a mobile computing device. The scanner is configured to image a paper document into an electronic document and includes a wireless communication module configured for sending the electronic document to an electronic address of the document server. The mobile computing device has a wireless communication module configured for sending a request to the scanner to image the paper document and configured for identifying to the scanner the electronic address of the document server.

The Office Action applied the reasoning for the rejection of claim 4 to other claims, including claims 14-17. Accordingly, Applicant will respond to the rejection of claim 14 based on the rejection of claim 4, except for noting differences between Applicant's claim 14 and independent claim 4.

First, for substantially the same reasons as presented for the patentability of Applicant's independent claim 4, which demonstrated the deficiencies of Lamming beyond the deficiencies admitted in the Office Action, Lamming fails to disclose Applicant's dependent claim 14.

In addition, as admitted in the Office Action regarding claim 4, Lamming does not teach sending the electronic document from the scanner to a document server at an electronic address identified by the mobile computing device.

Browning fails to cure the deficiencies of Lamming. Contrary to the assertion in the Office Action (based on passages at Column 4, lines 3-14, 42-51), Browning does not disclose a scanner having a wireless communications module configured to send the electronic document directly from the scanner to a document server [at an electronic address identified by the mobile computing device].

Instead, Browning discloses that a handheld scanner scans character data (i.e., a textual address) from printed media and then sends that the scanned address (not a document)

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to a software communications agent (associated with a communications device such as a personal computer, network computer . . . or other communications device,) which uses the textual address to retrieve HTML documents, email messages, etc. from the internet address locations. See Browning at Column 3, lines 25-44. Accordingly, the scanner of Browning does not send a document directly from a scanner to a document server, but merely sends an address of a remote site to the communications agent to enable the communications agent to access the remote site.

Browning teaches away from Applicant's claim 14, as the objective of the invention in Browning is to scan single line textual information in the form of internet URL's, internet protocol addresses, internet email addresses, FTP sites, USENET news group addresses, and DNS addresses as they occur in print advertising and print media. See Browning at Column 1, lines 45-50. A communications agent 34, not the handheld scanner and separate from the handheld scanner, sends/retrieves HTML/VRML documents, email messages, USENET news, Java applets, ActiveX components, or file transfers interpreted by the handheld scanner. See Browning at Column 1, lines 58-62.

In further contrast to Applicant's claim 14, Browning does not disclose a mobile computing device that requests that the scanner to image a paper document. Moreover, in Applicant's claim 14, a mobile computing device, not a handheld scanner as in Browning, makes a wireless request on a scanner to initiate sending an electronic document to the document server. Finally, in Browning the handheld scanner does not directly send any requests to a remote site (internet address location) so that Browning fails to disclose sending a request (e.g., to image a paper document) from the mobile computing device to a first scanner, as claimed by Applicant in claim 14.

Accordingly, with these deficiencies of Lamming and Brown, one cannot combine Lamming and Browning and thereby arrive at Applicant's independent claim 14.

For these reasons, Lamming and Browning fail to teach or suggest Applicant's independent claim 14. Accordingly, Applicant believes that claim 14 is patentable over Lamming and Browning. Claims 15-17 are also believed to be patentable over Lamming and Browning based on their dependency from independent claim 14.

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Applicant's independent claim 6 specifies a method of remotely activated scanning. The method comprises imaging a paper document with a first scanner to produce an electronic document from the paper document and storing the electronic document in a memory of the first scanner and associating the stored electronic document with a document identifier. A mobile computing device wirelessly obtains from the first scanner the document identifier and an electronic address of the first scanner. The mobile computing device wirelessly sends directly to a document server the electronic address of the first scanner, the document identifier, and a request for the document server to obtain the electronic document from the first scanner. The document server queries the first scanner using the electronic address of the first scanner and the document identifier to request the electronic document. The first scanner sends the electronic document from the first scanner to the document server.

The Office Action applied the reasoning for the rejection of claim 4 to other claims, including claims 6-9. However, Applicant notes that Applicant's independent claim 6 includes several notable differences as compared to Applicant's independent claim 4. Nevertheless, Applicant will respond to the rejection of claim 6 based on the reasoning in the Office Action for the rejection of independent claim 4 while identifying the notable differences between the two respective independent claims 4 and 6.

In contrast to Lamming, Applicant's claim 6 specifies the limitation of wirelessly obtaining from the first scanner, via a mobile computing device, the document identifier and an electronic address of the first scanner. Unlike Applicant's claim 6, Lamming discloses the opposite action of tab 16 already having a document token and beaming a command (apparently including the document token) to fax machine 86 to retrieve an electronic document, rather than obtaining the document token from fax machine 86 or multifunction machine 38. See Lamming at Column 10, lines 21-36.

In another limitation of Applicant's claim 6, a mobile computing device wirelessly sends directly to a document server: (1) the electronic address of a first scanner; (2) the document identifier; and (3) a request for the document server to obtain the electronic document from the first scanner, as claimed by Applicant.

In association with Figures 6E-6F, Lamming at Column 10, lines 21-36 discloses tab 16 beaming/transmitting a command (regarding a document token) directly to a fax machine 86, when then communicates with multifunction machine 38. Accordingly, this command in

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Lamming is not a request made from a mobile computing device directly to a document server, as claimed by Applicant.

In addition, in Lamming at Column 10, lines 21-36, the command from tab 16 is for a document A to be sent from multifunction machine 38 (which obtains the document from a database) to fax machine 86 for printing (and not to a document server). Accordingly, this command in Lamming is not a request (made directly to a document server) for a document server to obtain an electronic document from a first scanner, as claimed by Applicant.

In further contrast to Applicant's claim 6, in Lamming at Column 10, lines 21-36, the command sent to fax machine 86 from tab 16 already includes a document token (that represents an electronic document). Accordingly, this command in Lamming is not a request (made directly to a document server) to obtain the electronic address of a first scanner and to obtain the document identifier for an electronic document.

Moreover, Lamming confirms that that prior to these actions (described in association with Figures 6E-6F for Lamming) that document A has already been scanned in and electronically stored in a database accessible by multifunction machine 38. See Lamming at Column 10, lines 17-19. Accordingly, Lamming fails to disclose storing the electronic document in a memory of the first scanner (for later transmission from the first scanner), as claimed by Applicant. Rather, in Lamming the electronic documents are stored on file server 12 or a personal workstation 21 within network 10 (See Lamming at Column 4, lines 4-45) with document tokens (i.e., document references) being used to access the electronic documents.

Moreover, the embodiment associated with Figures 6E-6F in Lamming at Column 10, fail to disclose querying a first scanner, via a document server, using the electronic address of the first scanner and the document identifier (both supplied by the mobile computing device) to request the electronic document from the first scanner.

Finally, as admitted in the Office Action regarding claim 4, Lamming does not teach sending the electronic document from the [first] scanner to a document server [at an electronic address of the first scanner identified by the mobile computing device] and as detailed later below, neither does Browning.

Browning fails to cure the deficiencies of Lamming. Contrary to the assertion in the Office Action (based on passages at Column 4, lines 3-14, 42-51), Browning does not

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disclose sending the electronic document from the scanner to a document server [at an electronic address identified by the mobile computing device].

Instead, Browning discloses that a handheld scanner scans character data (i.e., a textual address) from printed media and then sends that the scanned address (not a document) to a software communications agent 34 (associated with a communications device such as a personal computer, network computer . . . or other communications device,) which uses the textual address to retrieve HTML documents, email messages, etc. from the internet address locations. See Browning at Column 3, lines 25-44. Accordingly, the scanner of Browning does not send a document from a scanner to a document server, but merely sends an address of a remote site to the communications agent to enable the communications agent to access the remote site.

Browning teaches away from Applicant's claim 6, as the objective of the invention in Browning is to scan single line textual information in the form of internet URL's, internet protocol addresses, internet email addresses, FTP sites, USENET news group addresses, and DNS addresses as they occur in print advertising and print media. See Browning at Column 1, lines 45-50. A communications agent 34, not the handheld scanner and separate from the handheld scanner, sends/retrieves HTML/VRML documents, email messages, USENET news, Java applets, ActiveX components, or file transfers interpreted by the handheld scanner. See Browning at Column 1, lines 58-62.

In further contrast to Applicant's claim 6, Browning does not provide an electronic address for the scanner and in Browning, the remote site to be accessed does not directly communicate with the handheld scanner, and therefore Browning does not teach or suggest a document server requesting an electronic document from the scanner, as claimed by Applicant.

In further contrast to Applicant's claim 6, Browning does not disclose a mobile computing device that requests that the scanner image a paper document. Moreover, in Applicant's claim 6, a mobile computing device, not a handheld scanner as in Browning, makes a wireless request on a scanner to initiate a document server obtaining the electronic document from the scanner. Finally, in Browning the handheld scanner does not directly send any requests to a remote site (internet address location) so that Browning fails to

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disclose wirelessly sending a request directly from the mobile computing device to a document server, as claimed by Applicant in claim 6.

Accordingly, Browning does not cure the deficiencies of Lamming, and therefore one cannot combine Lamming and Browning and arrive at Applicant's independent claim 6.

For these reasons, Lamming and Browning fail to teach or suggest Applicant's independent claim 6. Accordingly, Applicant believes that claim 6 is patentable over Lamming and Browning. Applicant has canceled claims 7-9.

For substantially the same reasons as presented for patentability of claim 6, Lamming and/or Browning fail to disclose Applicant's amended independent claim 24 which is directed to a computer readable medium having computer-executable instructions for performing a method of remotely activated scanning – the method including substantially the same limitations as independent claim 6. For these reasons, Lamming and/or Browning fail to teach or suggest amended independent claim 24, and therefore Applicant's amended independent claim 24 is patentable and allowable over Lamming and/or Browning.

Applicant's independent claim 18 specifies a wireless document scanning system. The wireless document scanning system comprises a document server, a scanner and a mobile computing device. The scanner is configured to image a paper document into an electronic document and has a wireless communication module configured for wirelessly receiving a request from the document server to obtain the electronic document and configured for sending the electronic document directly from the scanner to the document server. The mobile computing device includes a wireless communication module configured to perform the following tasks: (1) wirelessly obtaining from the scanner an address of the scanner and an identifier of the paper document; and (2) wirelessly sending a request to the document server to obtain the electronic document at the scanner address using the document identifier and the scanner address.

The Office Action applied the reasoning for the rejection of claim 4 to other claims, including claim 18. Accordingly, Applicant will respond to the rejection of claim 18 based on the rejection of claim 4, except for noting differences between Applicant's claim 18 and independent claim 4.

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First, for substantially the same reasons as presented for the patentability of Applicant's independent claim 6 which demonstrated the deficiencies of Lamming regarding claim 6 beyond the deficiencies admitted in the Office Action, Lamming fails to disclose Applicant's independent claim 18.

In addition, as admitted in the Office Action, Lamming does not teach sending the electronic document from the scanner to a document server at an electronic address identified by the mobile computing device.

Browning fails to cure the deficiencies of Lamming. Contrary to the assertion in the Office Action (based on passages at Column 4, lines 3-14, 42-51), Browning does **not** disclose sending the electronic document directly from the scanner to a document server [at an electronic address identified by the mobile computing device].

Instead, Browning discloses that a handheld scanner scans character data (i.e., a textual address) from printed media and then sends that the scanned address (not a document) to a software communications agent 34 (associated with a communications device such as a personal computer, network computer . . . or other communications device,) which uses the textual address to retrieve HTML documents, email messages, etc. from the internet address locations. See Browning at Column 3, lines 25-44. Accordingly, the scanner of Browning does **not** send a document from a scanner to a document server, but merely sends an address of a remote site to the communications agent to enable the communications agent to access the remote site.

Browning teaches away from Applicant's claim 18, as the objective of the invention in Browning is to scan single line textual information in the form of internet URL's, internet protocol addresses, internet email addresses, FTP sites, USENET news group addresses, and DNS addresses as they occur in print advertising and print media. See Browning at Column 1, lines 45-50. A communications agent, **not** the handheld scanner and separate from the handheld scanner, sends/retrieves HTML/VRML documents, email messages, USENET news, Java applets, ActiveX components, or file transfers interpreted by the handheld scanner. See Browning at Column 1, lines 58-62.

In further contrast to Applicant's claim 18, Browning does not disclose a mobile computing device configured to wirelessly obtain from the scanner an electronic address of the scanner. In addition, in Browning the handheld scanner does **not directly** send any

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request to a remote site (internet address location) so that Browning fails to disclose wirelessly sending a request directly from the mobile computing device to a document server, as claimed by Applicant in claim 18.

Accordingly, with these deficiencies of Lamming and Browning, one cannot combine Lamming and Browning and arrive at Applicant's independent claim 18.

For these reasons, Lamming and Browning fail to teach or suggest Applicant's independent claim 18. Accordingly, Applicant believes that claim 18 is patentable over Lamming and Browning.

Accordingly, Applicant respectfully requests that the above 35 U.S.C. § 103 rejection to claims 4-6, 14-18, and 23-24 based on Lamming and Browning be reconsidered and withdrawn, and that these claims be allowed.

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In view of the above, Applicant respectfully submits that pending claims 4-6, 14-18, and 23-24 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 4-6, 14-18, and 23-24 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Paul S. Grunzweig at Telephone No. (612) 767-2504, Facsimile No. (612) 573-2005 or Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3957. In addition, all correspondence should continue to be directed to the following address:

IP Administration
Legal Department, M/S 35
HEWLETT-PACKARD COMPANY
P.O. Box 272400
Fort Collins, Colorado 80527-2400

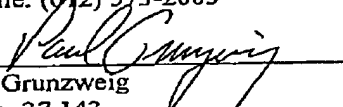
Respectfully submitted,

Christian L. Struble,

By his attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 767-2504
Facsimile: (612) 573-2005

Date: 24 May 2006
PSG:bac


Paul S. Grunzweig
Reg. No. 37,143

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via facsimile to Facsimile No. (571) 273-8300 on this 24th day of May, 2006.

By: 

Name: Paul S. Grunzweig